

**AMENDMENTS TO THE CLAIMS:**

The listing of claims will replace all prior versions, and listings of claims in the application:

**LISTING OF THE CLAIMS**

1. (Currently Amended) ~~A marking pen for indicating the proper location of an incision to be made on a patient undergoing surgery, the pen~~ surgical marker comprising:  
a handle having a first end and a second end;  
a wheel rotably attached to the first end of said handle, said wheel comprising a polymer that absorbs ink.

2. (Previously Presented) The marking pen of claim 1, wherein said wheel comprises a flat or arcuate marking surface disposed at a peripheral edge of said wheel.

3. (Previously Presented) The marking pen of claim 1, wherein said wheel comprises a plurality of treads disposed about the peripheral edge of said wheel, each tread defining a marking surface.

4. (Previously Presented) The marking pen of claim 3, wherein the marking surface is flat or arcuate.

5. (Previously Presented) The marking pen of claim 1, wherein the handle includes a removable neck disposed at the first end, the wheel being rotably attached to the removable neck.

6. (Previously Presented) The marking pen of claim 1, wherein the handle includes a bend to provide an ergonomically shaped handle.

7. (Currently Amended) ~~A marking pen for indicating the proper location of an incision to be made on a patient undergoing surgery, the pen~~ surgical marker comprising:

a handle;

a wheel rotably connected to an end of the handle, the wheel including a flat or arcuate marking surface disposed along a peripheral edge and comprising a material that can absorb ink and dispense ink onto a patient's skin, the wheel being adapted to mark on a patient's skin.

8. (Cancelled).

9. (Previously Presented) The marking pen of claim 7, wherein the handle includes a bend formed near the wheel.

10. (Previously Presented) The marking pen of claim 7, wherein the wheel comprises polyethylene or polypropylene.